

In The United States District Court
For The Middle District of Alabama

RECEIVED

Eric Thomas Bey #137013

Plaintiff

v.
Larry Ligon, et al

Defendants

2005 SEP 29 A 9:19

Civil Action No. 2:05-CV-605-F
MIDDLE DISTRICT ALA

Sworn Affidavit

Before Me, The Undersigned Authority, A Notary Public in and For said County and State of Alabama, at Large, Appeared ERIC THOMAS-Bey, who Being known by Me and Being By Me first Duly Sworn, deposes and Says under Oath as follows:

My Name is Eric Thomas Bey #137013 and I am The Plaintiff in this Action. I am presently at The Bullock County Corr. Facility P. O. Box 5107 Union Springs, Al. 36089, I am Over twenty-one (21) years of age.

I first state that although The Court gave The Defendants an Order to Answer the allegations. Sgt Ligon did not address the Issues.

I and My two Key Witnesses, Inmate Sanford Hiden #158516 and Joseph Carr #156107 Tried Talking to Ligon who always Made Excuses.

Since The Filing of this Action Both of My Witnesses Had Prepared to Have Affidavits Done. But Defendant Ligon Confiscated Inmate Hiden's Affidavit in which both Became afraid to give Affidavits, But Both stated that They would if Protected and Called upon by the Court, They Would Tell the Truth.

The laundry that Defendant Ligon wrote me up for Belonged to Inmate Hiden. Inmate Carr was also in the laundry and witnessed the whole ordeal.

Defendant Ligon when learning the truth, He Called me to the shift office

and told me that another inmate had secretly told him the truth of whose laundry cart he had found clothes in. I told Sgt. Ligon that all that he had to do from the beginning was look at the laundry numbers on the clothes and ask the inmates to whom the clothes belonged to which laundry man they had given their clothes to, but he made me feel as if he already knew and personally told me that he would have a note for the Captain. Days later after I was served the approved citation, I again spoke with Sgt. Ligon and he said he would talk to the Captain. When I saw him again he stated that Captain Metter would not disapprove it and when Hyden admitted that it was his cart, he still wouldn't do anything and as a result I lost my job and other privileges.

If I had been wrong this case would not be before the court, but I was right but wrongly charged. It's not about the citation, but about DOC officials serving citation on inmates illegally and when they know they are wrong they refuse to correct it. This citation could hinder transferring, custody parole etc.

And I'm now believing that maybe Ligon didn't talk to the Captain. Maybe he didn't go to him and admit that he had written up the wrong inmate. However if he had properly investigated it, this matter wouldn't be before the court.

Every inmate is assigned a laundry number and card. The clothes he got he could have easily looked at the cards to determine who they belonged to. He could have simply sent for them and asked who is your laundry man or who did you give your clothes to and they would have said Sanford Hyden aka Sugg. But he wasn't concerned with investigating he wanted me and he falsely charged me.

Again he did not answer my allegations and such should be

Accepted As True.

I am Requesting a Hearing and that the Named Witnesses Be Called
to Testify.

I Swear that all the Beforementioned is True Under the Penalty of Perjury

Eric J. [Signature]

Sworn to and Subscribed Before Me On this 23rd day of September 2005

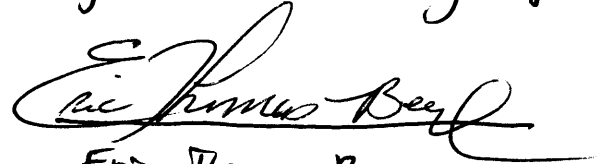
L. [Signature]

Notary Public
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Mar 18, 2007

My Commission Expires.

Certificate of Service

I hereby Certify That I have on this 27th day of September 2005
Served a Copy of the Same on the Attorney for the Defendants by Prepared
US Mail

A handwritten signature in black ink, appearing to read "Eric Thomas Bay". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Eric Thomas Bay

#137013

P.O. Box 5107

Union Springs, AL 36089